

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Dennis A. Cornell, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Anthony Lauria, Senior Deputy Clerk.

F039948 Genesis Environmental Services v. San Joaquin Valley Unified Air Pollution Control District

Cause called and argued by Barry Rosenberg, Esq., counsel for appellant and by Patrick Osborn, Esq., counsel for respondent.

Cause ordered submitted.

F041026 Stevros, Inc., et al. v. Town Center Pharmacy, Inc., et al.

Cause called. Leonard Herr, Esq., counsel for appellant appearing. Steven Williams, Esq., counsel for respondent not appearing. Mr. Herr moves the court to dismiss the appeal. Motion is by the court granted.

Cause ordered dismissed.

Court recessed until 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Timothy S. Buckley, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Jill Rivera, Assistant Deputy Clerk.

F039779 People v. Thompson

Cause called and argued by Joan Isserlis, Esq., counsel for appellant and by Janet Neeley, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

At this point Vartabedian, J. leaves the bench and is replaced by Gomes, J.

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F040959 **Alan D. Barbour et al. v. Sierra Sky Park Property Owners Association et al.**
Cause called and argued by Armen George, Esq., counsel for
appellant and by D. Mitchell Taylor, Esq., counsel for respondent.

Cause ordered submitted.

At this point Dibiaso, Acting P.J. directs Buckley, J. to act as Presiding
Justice in his absence and leaves the bench with Gomes, J.; they are
replaced by Wiseman, J. and Levy, J.

F037426 **People v. Yang et al.**
Cause called and argued by Richard Levy, Esq., counsel for
appellant Pao Yang and by Michael Satris, Esq., counsel for appellant
Sia Lor and by Kyle Gee, Esq., counsel for appellant Voua Yang and
by Mark Christiansen, Esq., counsel for appellant Nua Moua and by
Robert Gezi, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

Court recessed until Friday, November 14, 2003 at 10:00 A.M.

F042179 **People v. Taylor**
The above-entitled case is submitted for decision.

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F042179 People v. Taylor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040182 People v. Montejano

The convictions on counts 9, 10, and 11 are reversed with directions to the trial court to dismiss these counts. The matter is remanded for resentencing. In all other respects, the judgment is affirmed. Cornell, J.

We concur: Dibiaso, Acting P.J.; Vartabedian, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041103 People v. Gallardo

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE
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F041103 People v. Gallardo

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041026 Stevros, Inc. et al. v. Town Center Pharmacy, Inc. et al.

Appellants having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F043701 People v. Carrera

No brief having been filed by appellant after notice duly given under rule 37(b) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F043640 People v. Clay

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed. Pursuant to rule 38, California Rules of Court, it is further ordered that the remittitur issue forthwith.

F043284 People v. Baxter

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F040592 People v. Durham

The section 1202.4 and 1202.45 fines are vacated and the trial court is directed on remand to set new fines under these provisions in a manner not inconsistent with this opinion, and to prepare and distribute as appropriate an amended abstract of judgment which shall reflect, among other entries, the fines imposed on remand and the correct term of imprisonment of 12 years and 8 months. All other aspects of the judgment are affirmed. Dibiase, Acting P.J.

We concur: Vartabedian, J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041895 In re Jeremiah V., a Minor

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F041895

In re Jerimiah V., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]